

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

NED COMER, et al.	§ § § § §	PLAINTIFFS
v.		Civil Action No. 1:11cv220-LG-RHW
MURPHY OIL USA, INC., et al.		DEFENDANTS

**ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS'
MOTION FOR EXTENSION OF TIME AND MOTION FOR STAY**

BEFORE THE COURT is the Unopposed Motion [81, 86] for Extension of Time to Submit Responsive Pleadings to Plaintiffs' Amended Class Action Complaint, to Respond to Pending Motions, and for Stay of Initial Disclosures and Discovery filed by certain defendants.¹ The defendants request that the deadline for filing responsive pleadings to the Amended Complaint and the deadline for responding to pending motions be extended to a date to be set by the Court at a future status conference. They also request a stay of all initial disclosures and discovery until after the Court rules on all threshold motions, including Rule 12 motions. Upon reviewing the Motion and the record in this matter, the Court finds as follows:

1. A status conference is scheduled in this matter for **Thursday, December 1, 2011, at 9:00 a.m. in Courtroom #806, United States Courthouse, 2012 15th**

¹Moving Defendants are: Murphy Oil USA, Inc., Shell Oil Company, Chevron U.S.A. Inc., Exxon Mobil Corporation, BP Amoco Chemical Company, BP America Production Company, BP Energy Company, BP Products North America Inc., Placid Oil Company, Kerr-McGee Oil & Gas Corporation, Total Petrochemicals USA, Inc., ConocoPhillips Company, Atlantic Richfield Company, Pioneer Natural Resources USA, Inc., Occidental Crude Sales, Inc., Occidental Energy Marketing, Inc., Total Gas & Power North America, Inc., Hess Corporation, Anadarko Petroleum Corporation, Apache Corporation, Burlington Resources Offshore Inc., Xcel Energy Inc., Northern States Power Company (Minnesota), North States Power Company (Wisconsin), Public Service Company of Colorado, Southwestern Public Service Co., Alpha Natural Resources, Inc., Arch Coal Inc., CONSOL Energy Inc., The North American Coal Corp., The Ohio Valley Coal Co., Peabody Energy Corp., Rio Tinto Energy America, Inc., Westmoreland Coal Co., Duke Energy Corporation, Cinergy Corp., Ameren Energy Generating Company, Union Electric Company, E.I. DuPont de Nemours & Co., Honeywell International, Inc., and The Dow Chemical Co., Inc.

Street, Gulfport, Mississippi. All counsel of record will appear in person.

2. The Court finds that the defendants' request for an extension of time to file responsive pleadings to the complaint should be denied.

3. The responses to all dispositive motions, including motions for class certification, that have been filed or will be filed in the case are due on December 9, 2011, unless further extension is granted by the Court at the December 1, 2011, status conference.

4. All initial disclosures and discovery are stayed until further order of the Court.

Finally, Plaintiffs' are reminded that all Defendants must be served with process within 120 after the complaint is filed. FED. R. CIV. P. 4(m).

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Unopposed Motion [81, 86] for Extension of Time to Submit Responsive Pleadings to Plaintiffs' Class Action Complaint, to Respond to Pending Motions, and for Stay of Initial Disclosures and Discovery filed by certain defendants is **DENIED** to the extent that the defendants' request an extension of the responsive pleading to the complaint and is **GRANTED** in all other respects.

SO ORDERED AND ADJUDGED this the 17th day of August, 2011.

s/ Louis Guirola, Jr.
LOUIS GUIROLA, JR.
CHIEF U.S. DISTRICT JUDGE